



# AGRICULTURAL RECRUITMENT SYSTEM (ARS)

The Wagner-Peyser Act requires that the United States Employment Service maintain a system for the orderly movement of workers within and between States. Through the ARS, state workforce agencies can systematically recruit and refer qualified workers from within a state, as well as from other states when there is an anticipated shortage of workers. The regulations at 20 CFR § 653.500-503, contain the requirements for handling job clearance orders, which request workers for less than one year of employment. They are based on the department's policy of requiring specific assurances and information in the agricultural clearance orders.

## THE AGRICULTURAL RECRUITMENT SYSTEM: AN AGRICULTURAL WORKER'S GUIDE

# HOW DOES THE ARS WORK?

The ARS links employers who have temporary agricultural and food processing jobs with workers who need these jobs and are willing to live temporarily away from their local area.

When work begins, the worker is entitled to protection under federal and state laws relating to wages, working conditions, housing, health, and safety. The worker who fulfills the employment contract is eligible for all rights and benefits specified in the clearance (recruitment) order.



## PROCESS:

- 1** An employer asks a local Missouri Job Center for help in recruiting temporary agricultural or food processing workers.
- 2** The local Job Center determines that there is or will be a shortage of qualified and interested workers in the area near the work site.
- 3** An agricultural clearance (recruitment) order is signed by the employer. It lists: The work to be done; Wages, benefits, and bonuses, if any; Type of housing provided; and any transportation assistance provided. Housing is inspected and certified by Office of Workforce Development staff.
- 4** The clearance (recruitment) order is sent to DOL Regional office for approval into Intrastate and Interstate recruitment (if order is not filled).
- 5** Once approved, the clearance (recruitment) order is sent to other Job Centers where qualified and interested workers are available.

# THE ARS PROVIDES:

## HOUSING FOR EMPLOYEES AND, WHEN APPLICABLE, THEIR FAMILIES

Employers who recruit through the ARS guarantee that no-cost or public housing will be available for workers. If it is the practice in the area, employers must also provide housing for workers' families. This housing must meet federal and state housing standards and must be inspected and certified by Office of Workforce Development staff.

## ACCEPTABLE WAGES AND WORKING CONDITIONS

The wages of workers recruited through the ARS may not be less than the highest of (1) the prevailing wage for similar work in the area; (2) the federal minimum wage, or (3) the applicable state minimum wage. Working conditions cannot be less than those of similarly employed workers in the area where the jobs are located.

## GUARANTEED WAGES FOR THE FIRST WEEK

Workers must check with a local Job Center five to nine working days before the date work is scheduled to start. If a worker is not informed at this time that the start date has changed, the first week's wages are guaranteed.

## TRANSPORTATION (IN MOST CASES)

Transportation assistance, both going to and returning from the job, is often provided to workers and their families as specified on the job order.

Contact your local Missouri Job Center and learn what work may be available for you through the ARS

- 6** The local Job Center representatives actively recruit for qualified and interested workers. Summary information on wages, working conditions, and other matters specified in the job order is given to interested workers. A complete copy of the order will be provided at the local Job Center upon request.
- 7** An employer or an employer representative may come to the worker supply area and interview individual workers.
- 8** Workers agree to accept the job offer and notify a local Job Center representative.
- 9** The worker checks with a local Job Center five to nine working days before employment is scheduled to begin. Unless told at this time that the start date has been changed, the worker is guaranteed wages for the first week of employment.
- 10** The worker travels to the work site. The employer may provide some or all of the transportation cost or may actually transport the workers and their families.

# WHAT CAN THE ARS DO FOR ME?

- Help you find temporary jobs in agriculture and food processing outside your local area (elsewhere in your state and in other states);
- Provide no-cost or public housing for you and your family during the employment period;
- Guarantee wages the first week;
- Ensure that you will be protected by the federal and state standards for health, safety, wages, and working conditions while on the job; and
- Give you more control over your work life. You will have reliable information on wages, work activities, housing, and transportation before you sign an agreement to the work area.

***NOTE: The foregoing benefits and protections apply only to jobs under the ARS when a worker is unable to return to his permanent residence on the same day. Your local Missouri Job Center may help workers find other jobs, agricultural and non-agricultural, in your local area, but these special benefits and protections, such as housing and wage guarantees, do not apply to them.***

For help in finding workers through the ARS, find your local Missouri Job Center online at [jobs.mo.gov](http://jobs.mo.gov). or contact our bilingual outreach representatives:

## **Southern:**

Evan Keesee, (573) 472-5624

## **State Monitor Advocate:**

Diana Murillo, (855) 859-2950

[jobs.mo.gov/employer/aes](http://jobs.mo.gov/employer/aes)  
[aes@dhewd.mo.gov](mailto:aes@dhewd.mo.gov)

## **LOCAL MISSOURI JOB CENTERS**

A local Job Center offers you a full range of employment services. These services include counseling, testing, job training, and referral services which are intended to be sensitive to your interests, needs and skills, as well as to the availability of job and training opportunities. Your local Job Center office can also help you if you have a complaint regarding the Employment Service or regarding violations of employment-related laws.

You may also be eligible for services under the National Farmworker Jobs Program Section 167 funded by the U.S. Department of Labor. These programs are to assist farmworkers and their dependents to obtain and retain agricultural or non-agricultural employment

*For additional information about Missouri Office of Workforce Development services, contact a Missouri Job Center near you. Locations and additional information are available at [jobs.mo.gov](http://jobs.mo.gov) or 1-888-728-JOBS (5627). The Missouri Department of Higher Education and Workforce Development is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Missouri Relay Services at 711.*

*El Departamento de Educación Superior y Desarrollo de la Fuerza Laboral de Missouri es un empleador o programa que ofrece igualdad de oportunidades. Los servicios y ayudas auxiliares están disponibles a petición para las personas con discapacidades. Comuníquese con Servicios de Retransmisión de Missouri al 711.*